

AO 91 (Rev. 11/11) Criminal Complaint

D. Davis 8/16/17

## UNITED STATES DISTRICT COURT

United States Court  
Southern District of Texas  
FILED

for the

Southern District of Texas

AUG 16 2017

David J. Bradley, Clerk of Court

United States of America )

v. )

SANTIAGO CABRERA )

Case No. )

H17-1340

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 24, 2017 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

Title 8 United States Code  
 Section 1324 (a)(1)(A)(iii)

did knowingly or in reckless disregard of the fact that an alien has come to,  
 entered, or remains in the United States in violation of law, concealed,  
 harbored, or shielded from detection, or attempts to conceal, harbor, or shield  
 from detection, such alien in any place, including any building or any means  
 of transportation

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

*Norma Martinez*  
 Complainant's signature

Norma Martinez, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/16/2017

*Stephen W. Smith*  
 Judge's signature

City and state: Houston, Texas

Stephen Wm. Smith, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN THE MATTER OF THE  
CRIMINAL COMPLAINT FOR  
SANTIAGO CABRERA

§  
§  
§  
§

Case No. \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Norma Martinez, after being duly sworn, state as follows:

1. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), as a Special Agent (SA) with Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), currently assigned to the HSI Houston Human Smuggling Investigative Group, and have been so employed since 2004. As an HSI Special Agent, my job and responsibilities include conducting investigations of violations of the immigration and customs laws of the United States, to include alien smuggling, pursuant to Title 8, United States Code, § 1324; and related offenses. I am a graduate of the Federal Law Enforcement Training Center at Glynco, Georgia, where I received training for the purpose of accomplishing my criminal investigator duties. Furthermore, I also received training on a continuing basis for the purpose of maintaining my proficiency pertaining to criminal investigator work.

2. This affidavit is made in support of the Criminal Complaint of Santiago CABRERA. The facts contained in this affidavit are based upon information of my own personal knowledge, observations and/or facts related to me by other agents of HSI and/or other law enforcement personnel involved in this investigation. Because this

affidavit is being submitted for the limited purpose of establishing probable cause for this arrest, the affidavit may not contain every fact known to me during the course of this investigation.

3. Pursuant to an on-going investigation, Santiago CABRERA (hereinafter CABRERA), was identified after a human smuggling apprehension conducted by U.S. Border Patrol.

4. On July 24, 2017, Homeland Security Investigations (HSI) Houston Smuggling Investigations Group special agents, along with officers with Enforcement and Removal Operations, and a Border Patrol Agent with Customs and Border Protection, conducted a knock and talk at a residence located at 10411 Timberloch Dr, Houston, Texas, 77070.

5. During the knock and talk, agents and officers witnessed three individuals attempt to abscond through the backyard of the residence, at which time agents detained two of the individuals, while officers followed the third individual as he ran back into the home. During the encounter, officers conducted immigration checks and discovered Karina MEXICANO-Flores, Mauricio RODRIGUEZ-Merino, Juan Martin OLALDE-Olalde and Wualter Yovany FERNANDEZ-Cruz were undocumented aliens. HSI agents transported MEXICANO-Flores, RODRIGUEZ-Merino, OLALDE-Olalde and FERNANDEZ-Cruz to the Houston Service Processing Center (SPC) for further investigation.

6. HSI identified Karina MEXICANO-Flores, Mauricio RODRIGUEZ-Merino, and Juan Martin OLALDE-Olalde as citizens and nationals of Mexico, while Wualter Yovany FERNANDEZ-Cruz is citizen and national of Honduras.

7. During the interview process, MEXICANO-Flores, RODRIGUEZ-Merino, and OLALDE-Olalde stated they had arrived at the residence in which they were

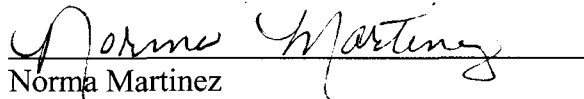
encountered, the night before the incident (July 23, 2017). Furthermore, they identified CABRERA as the individual who picked them up in San Antonio, Texas, in a white sport utility vehicle. The vehicle is believed to be a white Tahoe known to be owned by CABRERA, and then transported to CABRERA's residence located at 10411 Timberloch Dr., Houston, Texas. MEXICANO-Flores, RODRIGUEZ-Merino, and OLALDE-Olalde also stated their families still owed smuggling fees; therefore, they would not be transported to their final destinations until the full payment was received.

8. During the interview process, FERNANDEZ-Cruz stated he had arrived at the residence approximately one month prior to the incident. Furthermore, he identified CABRERA as the individual that picked him up in San Antonio, Texas, in a white sport utility vehicle, believed to be a white Tahoe known to be owned by CABRERA. He was then transported to CABRERA's residence located at 10411 Timberloch Dr., Houston, Texas. FERNANDEZ-Cruz also stated his family still owed \$4,000 in smuggling fees; therefore, he had been living at the residence for one month. FERNANDEZ-Cruz stated he would not be transported to his final destination until the full payment was received by CABRERA.

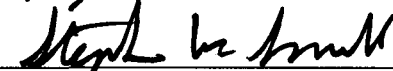
9. On July 27, 2017, HSI Houston agents conducted an interview of CABRERA at the HSI office located at 126 Northpoint Dr, Houston, Texas, 77060. He stated he knew MEXICANO-Flores, RODRIGUEZ-Merino, OLALDE-Olalde, and FERNANDEZ-Cruz had been illegally living in the United States and had been living at his residence.

10. Based on my experience and the aforementioned facts, the affiant believes there is probable cause to believe that on or about July 24, 2017, Santiago CABRERA did knowingly or in reckless disregard of the fact that an alien has come to, entered, or

remains in the United States in violation of law, concealed, harbored, or shielded from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation, in violation of Title 8 United States Code, Section 1324 (a)(1)(A)(iii).

  
Norma Martinez  
Special Agent  
Homeland Security Investigations

Sworn to and subscribed before me and I find probable cause on this the 17<sup>th</sup> Day of Aug-er, 20 17

  
Stephen Wm. Smith, U. S. Magistrate Judge